

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

(2) JUAN CLAUDIO D'LUNA-MENDEZ,

Defendant.

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SA-22-CR-00367-OLG

ORDER GRANTING CONTINUANCE AND RESETTING HEARING

Before the Court in the above-styled cause of action is Defendant's Motion to Suppress [#56], which is currently set for a hearing on August 15, 2023. On August 14, 2023, Defendant filed an Amended Motion to Suppress [#101]. In response, the Government has filed an Unopposed Motion to Extend Time to File Response to Defendant's Amended Motion to Suppress [#102], which asks the Court to continue the suppression hearing scheduled for today and to extend the deadline to respond to Defendant's amended motion to September 13, 2023. In light of Defendant's non-opposition to the motion,

IT IS HEREBY ORDERED that the Government's Unopposed Motion to Extend Time to File Response to Defendant's Amended Motion to Suppress [#102] is **GRANTED**.

IT IS FURTHER ORDERED that the suppression hearing set for **August 15, 2023**, is **CANCELED**.

IT IS FURTHER ORDERED that the Government is granted the requested extension of time and shall file its response to the motion to suppress on or before **September 13, 2023**.

IT IS FURTHER ORDERED that Defendant's Amended Motion to Suppress [#101] is **SET** for a hearing at **10:30 a.m. on September 19, 2023**, at the United States Courthouse, 262

West Nueva, San Antonio, Texas, 78207.¹ The courtroom for the hearing will be assigned later, and counsel should check monitors in the courthouse lobby on the day of the hearing, which will contain the assigned courtroom information.

IT IS FINALLY ORDERED that Defendant's Motion to Suppress [#56] is **DISMISSED AS MOOT** in light of the filing of Defendant's amended motion.

IT IS SO ORDERED.

SIGNED this 15th day of August, 2023.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE

¹ Any party that plans on utilizing courtroom technology during the hearing should refer to the Courtroom Technology Guidance information on the U.S. District Court, Western District of Texas website: [San Antonio Courthouse Courtroom Technology – U.S. District Court \(uscourts.gov\)](https://uscourts.gov). Court hearings will generally not be delayed to address technological issues encountered by any party.